

TITLE 22
AGRICULTURE AND HORTICULTURE

CHAPTER 53
IDAHO WOLF DEPREDAATION CONTROL BOARD

22-5301. BOARD CREATED. (1) Notwithstanding the provisions of section [25-2612A](#), Idaho Code, there is hereby created the Idaho wolf depredation control board in the office of the governor for the purpose of directing and managing funds as provided for in this chapter for wolf depredation control within the state of Idaho. The board shall be composed of five (5) members, three (3) of whom shall be appointed by the governor. A majority of the members present at any meeting shall constitute a quorum, and a majority vote of the quorum at any meeting shall constitute an official act of the board. The membership of the board shall consist at all times of members representing the following executive agencies and interests:

- (a) The director of the department of agriculture;
- (b) The director of the department of fish and game;
- (c) A member representative of sportsmen's interests;
- (d) A member representative of the livestock industry; and
- (e) A member of the public at large, not to exclude any person who may have sportsmen or livestock interests.

Members of the board not representing an executive agency will be appointed by the governor.

(2) Each member of the board shall be a citizen of the United States and a bona fide resident of the state of Idaho. During a term of office, a member must continue to possess all of the qualifications necessary for appointment. Failure to maintain such qualifications shall be cause for removal from office. The governor may remove any appointed board member at will.

(3) On July 1, 2014, the governor shall appoint each member who is not an executive agency director to an initial term as follows: the member representative of sportsmen's interests shall serve an initial appointment of two (2) years; the member representative of the livestock industry shall serve an initial appointment of two (2) years and the member of the public at large shall serve an initial appointment of three (3) years. All subsequent terms of appointment of all appointed board members shall be two (2) years. Vacancies shall be filled as terms expire. Each of such board members shall hold office until his successor has been appointed. The term of office shall commence on July 1 of the year of appointment and expire on June 30 of the last year of the term of office.

(4) Vacancies in any unexpired term shall be filled by appointment by the governor for the remainder of the unexpired term. The member appointed to fill a vacancy shall represent the same interest as the member whose office has become vacant.

[22-5301, added 2014, ch. 188, sec. 2, p. 500.]

22-5302. OFFICERS -- MEETINGS -- EXPENSES. (1) The board shall be cochaired by the director of the department of agriculture and the director of the department of fish and game. A vice chairman and a secretary-treasurer shall be annually elected from among the appointed board members. The board shall meet annually and at such other times as called by a cochairman or when requested by two (2) or more members of the board.

(2) In the performance of official duties, each appointed board member shall be compensated as provided in section [59-509\(b\)](#), Idaho Code.

(3) No funds raised pursuant to section [22-5306](#), Idaho Code, shall be used for travel or expenses outside the state of Idaho.

(4) Reimbursement of actual expenses incurred by appointed board members shall be paid from the state wolf control fund.

(5) The department of agriculture and the department of fish and game shall bear the cost of administering the meetings of the board.

[22-5302, added 2014, ch. 188, sec. 2, p. 501.]

22-5303. DEFINITIONS. As used in this chapter, unless the context requires otherwise:

- (1) "Board" means the Idaho wolf depredation control board;
- (2) "Brand board" means the state brand board;
- (3) "Director" means either the director of the department of agriculture or the director of the department of fish and game, as so designated;
- (4) "Wolf" means the *Canis lupus* species.

[22-5303, added 2014, ch. 188, sec. 2, p. 501.]

22-5304. POWERS AND DUTIES. (1) It is hereby made the duty of the board to administer the wolf control fund including setting the procedures and standards for payment from the fund. In carrying out these duties, the board may cooperate with federal, state, county, city and private agencies, organizations and individuals.

(2) The board has the authority to enter into agreements, including contracts, memoranda of understanding or memoranda of agreement with any federal agency, state agency, political subdivision of the state of Idaho or agency of another state in order to implement the provisions of this act.

(3) The control of wolves under this chapter does not include the payment of compensation for damages. Control activities funded by the board shall be consistent with the provisions of section [36-1107\(c\)](#), Idaho Code.

(4) The board may contract with the director of the Idaho state department of agriculture (ISDA) for legal and fiscal services as required under this act.

[22-5304, added 2014, ch. 188, sec. 2, p. 501.]

22-5305. WOLF CONTROL FUND. (1) The wolf control fund is hereby created and established in the state treasury. Moneys in the fund shall be divided into three (3) subaccounts identified as follows:

- (a) The "livestock subaccount" which shall consist of all assessments collected by the state brand inspector and the Idaho sheep and goat health board pursuant to the provisions of this chapter;
- (b) The "fish and game fund transfer subaccount" which shall consist of all moneys transferred to the fund from the fish and game fund pursuant to the provisions of this chapter; and
- (c) The "other money subaccount" which shall consist of any moneys other than moneys identified in paragraphs (a) and (b) of this subsection that are deposited in the fund.

The state treasurer shall invest the idle moneys of each subaccount and the interest earned on such investments shall be retained by each subaccount.

Moneys in the fund are continuously appropriated to be used solely for carrying out the provisions of this chapter.

(2) The wolf control secondary fund, hereinafter referred to as the secondary fund, is hereby created and established in the state treasury. Beginning in fiscal year 2015, at any time moneys in the livestock subaccount of the wolf control fund exceed one hundred ten thousand dollars (\$110,000), any amount over and above one hundred ten thousand dollars (\$110,000) shall be deposited in the secondary fund. The state treasurer shall invest the idle moneys of the secondary fund, and the interest earned on such investments shall be retained by the secondary fund. Moneys in the fund are continuously appropriated to be used solely for meeting the livestock assessment deposit requirements of section [22-5306](#)(1), Idaho Code. In the event collected assessments do not meet the minimum deposit requirements, an amount from the secondary fund as is necessary to meet the minimum deposit requirements in combination with collected assessments may be transferred to the livestock subaccount of the wolf control fund at the end of each fiscal year.

[22-5305, added 2014, ch. 188, sec. 2, p. 501.]

22-5306. WOLF CONTROL ASSESSMENTS -- USE OF FUNDS -- FISH AND GAME FUND TRANSFER. In order to carry out the provisions of this chapter, the following shall occur:

(1) Wolf control assessments collected from the livestock industry, by and through the state brand inspector and the Idaho sheep and goat health board, shall be combined for purposes of deposit into the livestock subaccount of the wolf control fund and, beginning in fiscal year 2015, shall total one hundred ten thousand dollars (\$110,000) annually for each fiscal year.

(a) The state brand inspector shall assess, levy and collect, as set forth in section [25-1145](#), Idaho Code, wolf control assessments in an amount sufficient to fund, in combination with Idaho sheep and goat health board assessments, the livestock subaccount of the wolf control fund as provided in subsection (1) of this section.

(b) The Idaho sheep and goat health board shall assess, levy and collect, as set forth in section [25-131](#), Idaho Code, wolf control assessments in an amount sufficient to fund, in combination with state brand inspector assessments, the livestock subaccount of the wolf control fund as provided in subsection (1) of this section.

(2) The wolf depredation control board shall use all funds in the wolf control fund, with the exception of moneys transferred from the fish and game fund as provided for in subsections (3), (4) and (5) of this section unless so directed by the fish and game commission pursuant to subsection (3) of this section, for all activities associated with legal lethal means of control and for the purposes of sections [22-5302](#) and [22-5304](#)(4), Idaho Code.

(3) Beginning in fiscal year 2015, the state controller shall annually, as soon after July 1 of each year as practical, transfer one hundred ten thousand dollars (\$110,000) from the fish and game fund to the fish and game fund transfer subaccount of the wolf control fund. The fish and game commission, on or before July 1 of each year, is authorized to direct the wolf depredation control board as to the use of such funds and the wolf depredation control board shall comply with the direction of the commission.

(4) Between the effective date of this act and fiscal year 2015, the assessment and transfer amount requirements of this section shall not be

required. In lieu thereof, wolf control assessments collected by the state brand inspector and the Idaho sheep and goat health board for deposit into the livestock subaccount of the wolf control fund shall be matched by an amount to be transferred from the fish and game fund to the fish and game fund transfer subaccount of the wolf control fund, but in no event shall either the wolf control assessments deposited into the livestock subaccount or moneys from the fish and game fund transferred into the fish and game transfer subaccount exceed one hundred ten thousand dollars (\$110,000).

(5) Notwithstanding any other provision of this chapter, in the event the total wolf control assessments collected from the livestock industry in any fiscal year are less than one hundred ten thousand dollars (\$110,000), and available moneys in the secondary fund are insufficient to bring the total to one hundred ten thousand dollars (\$110,000), the livestock industry shall only be required to deposit the moneys so collected and available from the secondary fund into the livestock subaccount of the wolf control fund, and the state controller shall transfer a matching amount from the fish and game fund to the fish and game fund transfer subaccount of the wolf control fund.

[22-5306, added 2014, ch. 188, sec. 2, p. 502.]